

Senate Amendment 5248

PAG LIN

1 1 Amend House File 2396, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1, the
1 4 following:
1 5 NEW SECTION. 677.7A OFFER TO RECEIVE
1 6 JUDGMENT AFTER ACTION BROUGHT.
1 7 The plaintiff in an action for the recovery of
1 8 money only may, at any time after the service of
1 9 notice and before trial, serve upon the defendant or
1 10 the defendant's attorney an offer in writing to
1 11 receive judgment against the defendant for a specified
1 12 sum with costs.
1 13 Sec. _____. NEW SECTION. 677.8A ACCEPTANCE ==
1 14 OFFER TO RECEIVE JUDGMENT.
1 15 If the defendant accepts the offer, and gives
1 16 notice thereof to the plaintiff or the plaintiff's
1 17 attorney within five days after the offer is made, the
1 18 offer, and an affidavit that the notice of acceptance
1 19 was delivered in the time limited, may be filed by the
1 20 defendant, or the plaintiff may file the acceptance
1 21 with a copy of the offer, verified by affidavit; and
1 22 in either case a minute of the offer and acceptance
1 23 shall be entered upon the judge's calendar and
1 24 judgment shall be rendered by the court accordingly.>
1 25 #2. Page 1, line 1, by inserting after the figure
1 26 <677.10A> the following: .
1 27 #3. Page 1, line 4, by inserting after the words
1 28 the following: .
1 29 #4. Page 1, by inserting after line 6, the
1 30 following:
1 31 _____. NEW SECTION. 677.10B PENALTY ==
1 32 ADDITIONAL PREJUDGMENT INTEREST.
1 33 If an offer to receive judgment is made under this
1 34 chapter and is not accepted, and a subsequent trial
1 35 results in a judgment which is at least twenty percent
1 36 more than the offer to receive judgment, prejudgment
1 37 interest shall be calculated at twice the normal rate
1 38 after the date of the offer to receive judgment.>
1 39 #5. By renumbering as necessary.
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1 43 _____
1 43 KEITH A. KREIMAN
1 44 HF 2396.701 80
1 45 rh/gg
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